

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JUSTIN GARDNER,	)	
	)	
Plaintiff,	)	8:17CV338
	)	
v.	)	
	)	
STATE OF NEBRASKA,	)	ORDER
	)	
Defendant.	)	
_____	)	

For the reasons set forth in filing no. 35 and because of the adverse judgment by the United States Court of Appeals (filing no. 45),

IT IS ORDERED that the motion for leave to appeal in forma pauperis (filing no. 48) is denied.

DATED this 28<sup>th</sup> day of January, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge